





## **United States Department of the Interior Bureau of Land Management**

**Eastern States Lower Potomac Field Station** 

September 2004

## Lower Potomac River Approved Coordinated Management Plan Decision Record

Prepared in cooperation with the

# **State of Maryland Department of Natural Resources**



#### Introduction

On May 7, 2004, the Bureau of Land Management (BLM) and Maryland Department of Natural Resources (MDNR) released the Lower Potomac River Proposed Coordinated Management Plan (CMP). The public was given thirty days to review the document and file protests to the BLM Director on proposals affecting BLM lands and to the MDNR for proposals and issues related to State management and lands.

No protests were filed with BLM during the official protest period. The MDNR received one comment letter requesting clarification and has responded to it. The comments will also be addressed in this document to clarify the proposals.

Because BLM and MDNR have different planning and decisionmaking processes, this document will be used for different purposes by the two agencies. For BLM, it is the final administrative decision of the agency and will guide future management of its lands in the planning area. For MDNR, this document is a template to fill in with activities, capital improvements, staffing and operational direction to guide the management of the property for the next 15–20 years.

The CMP/EA analyzed four alternatives and focused on the impacts of developing recreational and other activities on State and Federal lands within the planning area.

The Proposed CMP identified Alternative 4, with modifications, as MDNR's and BLM's preferred alternative. Originally, Alternative 4 was part of a community-based effort called the *Nanjemoy Vision* to develop a local consensus on what the region should be like in 2020. The planning team extracted the applicable environmental and resource management elements of the *Nanjemoy Vision* to create Alternative 4.

In essence, Alternative 4 envisioned a moderate level of development to take advantage of the region's rich natural and cultural resource base. The *Nanjemoy Vision* was silent on two proposals, which were included in the CMP: a boat ramp at Wilson Farm and limited timber management activities to promote healthy forest growth. These proposals were adopted from Alternative 3, analyzed, and included in the CMP.

#### **Alternatives Considered**

The CMP/EA considered four alternatives: Alternative 1 or "No Action", required by the National Environmental Policy Act (NEPA) provides for the continued custodial management of the public lands. Continuation of current management would not have taken advantage of the many natural and cultural resources for which the properties were acquired by the government. In addition, it would possibly create negative environmental impacts by leaving the area vacant and unmanaged. Unauthorized trespass would likely occur and there could be loss of valuable resources and foregone opportunities.

Alternative 2 emphasizes the area's cultural resource heritage and proposes certain minor activities to interpret them. Under Alternative 2, trails and small interpretative kiosks and

signs are allowed. Among the four proposed alternatives, this one contributes very little to the local economy. Given that economic development was one of the major goals of the plan, this alternative was not considered optimal.

Alternative 3 proposes greater development than in the other alternatives, especially on the size of the visitors' center. Campgrounds are slightly larger and other amenities, such as a boat ramp at Wilson Farm, are allowed. Implementation would be based on additional recreation planning. Although this option is essentially the same as Alternative 4, the scale of development is considered too large for the area.

Alternative 4 incorporates the environmental, natural resource and cultural resource elements of the *Nanjemoy Vision* process undertaken by a local citizens group from 2001 through the present. It proposes a moderate level of development of the area's recreational and cultural resources. This alternative emphasizes preserving much of the public land in a natural state to provide open space and to maintain the area's rural character. Alternative 4 allows construction of a small interpretative/cultural heritage visitors center, most likely on State land at Wilson Farm. Small tent campgrounds are allowed.

## **Response to Comments Received**

The Nanjemoy Vision, Inc. submitted questions to the State pertaining to clarifications about mountain bike and equestrian uses; uses permitted at boat ramp area, and clarification of the future planning process relative to specific activities or facilities, and clarification of specific statements and proposals made in the CMP. None of these clarifications constitute a material change in the plan nor do they require additional impact assessment. Similar questions have been grouped and answered together.

#### **Questions**

<u>Incompatibility determination generated by site analysis:</u> The primary goal of the CMP is to..."foster conservation of open space and protection of crucial wildlife and cultural resources and to provide for low impact recreational opportunities. Only land uses that are found to be compatible with this goal will be considered in this plan". It seems some land uses identified in the CMP, such as, 30 car parking areas, 30 campsites, picnic shelter for 50 people, water service, commercial sales of timber, and trail use for mountain bikes, and horses be determined to be incompatible as a result of a site specific assessment and review of environmental studies/reports?

<u>Size range and number of facilities proposed</u>: According to the CMP, could a determination be made for projects that there are zero campsites, five-car parking lots, no picnic shelter, no water service, and no commercial sales of timber permitted over the life of the plan as compatible uses?

<u>Trail Use:</u> The CMP allows horses and mountain bikes on existing trails. Would horses and mountain bikes be allowed on any new trails developed?

<u>Boat Ramp Development</u>: After the completion of additional site-specific studies and project review conducted by the State and/or BLM to identify and mitigate possible impacts, could the outcome be one of no powerboat ramp or be limited to the construction of a single power boat ramp and one non-motorized boat launch area? Could the development of a non-motorized boat launch on the BLM Douglas Point tract be determined to be an incompatible use?

If there is a non-motorized boat launch at Wilson Farm, could the need for a non-motorized launch area on the BLM Douglas Point land be determined to no longer be required due to the relative short distance between Wilson Farm and Douglas Point?

If there is a non-power boat launch at Wilson Farm, would the need to address the recreational use for a non-power launch on the MDNR Douglas Point land be fulfilled due to the relative short distance between Wilson Farm and Douglas Point?

<u>Forest practices:</u> If there is not yet a state-wide formal directive for certification of timber harvests on state lands, we would like to obtain a written commitment that all future planning and project level timber activities on these lands will be carried out under the Forest Stewardship Council certification program and that this commitment be made a part of this record.

<u>Phasing and Monitoring:</u> Douglas Point is a relatively small area to absorb the uses that currently MIGHT be allowed under the CMP, and the potential levels the CMP allows, particularly considering the ecological fragileness of the area which will limit where recreational activities can occur.

<u>Use Conflicts:</u> As site specific studies and plans are developed, what are your plans to examine the potential for and minimize the potential for recreational user conflicts which will inevitably occur, particularly on trails?

Since hunting is a planned use for all public lands except Maryland Point, could it be determined that the West side of the Douglas Point tract be open to uses that include hiking, wildlife observation, fishing, and beachcombing and but not for hunting to avoid serious user conflicts?

<u>Public coordination:</u> Since the Nanjemoy community has been recognized as a partner in the planning as addressed in the Director of BLM Kathleen Clarke's speech on May 25, 2004, as the Nanjemoy Vision, Inc., Charles County Government, MDNR, and BLM received the 4 C's Award, how do you plan to help the local community continue to be involved in planning as implementation of the CMP proceeds? How can the community be updated regularly? Can a community representative receive monthly updates by email/mail of planning and project execution progress by the site manager with a list of dates, products and points where people can weigh in with contact and information numbers?

<u>General:</u> Overall, clarifications need to be made to proposed allowable uses on the East and West side of the Douglas Point tract. We hope the west side will remain more protected due to its sensitive ecological nature.

The map on Appendix 16-5 needs adjustment to accurately reflect the proposed allowable uses for each parcel.

#### Responses

Most of the decisions to be approved by the Decision Record are subject to additional study and analysis. Bureau of Land Management (BLM) land use plans are designed to provide very basic land use allocations, such as whether the land is open or closed to mineral leasing, off-road vehicle use and livestock grazing. Plans must also consider likely uses and their environmental impacts. Table 1 in the Decision Record (which incorporates the activities from Alternative 4 in Table 1 from the CMP) will show the uses that are *allowable* under the CMP, but will require additional study to determine specific impacts. These principles apply to the MDNR lands as well. After additional study, a decision will be made to authorize specific trail locations, uses and mitigation measures. A design phase and construction phase will follow this additional planning.

The identified allowable uses do not all have to be implemented, and implementation can occur in stages in response to demand and the availability of funding. The CMP serves as a menu of compatible uses based on the resources and demands for the site. The CMP identifies ranges for the size of facilities, such as parking lots and the number of campsites. The size and location of proposed activity areas and facilities will be determined by a more thorough analysis of the resource information during the next planning phase (the development of a Land Unit Plan/Activity Plan), through subsequent resource management plans that may be required by the Land Unit Plan/Activity Plan (i.e., a Forest Management Plan), and through the rigors of the design phase. As part of the planning analysis, compatibility of different uses and activities will be evaluated and efforts will be taken to minimize the potential for recreational conflicts. In addition, future use of the area will be monitored and if problems occur, management adjustments will be made to address and resolve the problems.

It has been noted that some of the proposals outlined in Table 1 (Summary of the Alternatives) did not always correspond with the Alternatives maps in Appendix 16. We acknowledge that the table and maps are inconsistent. For the record, the Proposed CMP consists of the activities in Table 1 with the additions of the motorized boat ramp at Wilson Farm and *possible* selective harvesting on State land, which may be conducted through commercial sales. Any timber management activities will be outlined in a Forest Management Plan that the State will develop.

In general, the Department (MDNR) manages its forestland in a manner that maintains forest health, conserves soil and water resources, and protects biological diversity and sensitive habitats while providing multiple social and economic benefits. With that premise, it is the intention of MDNR to manage its forests in a manner that allows for the

harvesting of timber outside of sensitive resource areas. As the level of timber management is determined, a decision regarding certification will be made.

The proposal to create a non-motorized boat put-in on the Douglas Point tract would likely require the improvement of an access road because MD Rte. 224 is over a mile from the river at that point. This proposal, like all others in the CMP, is subject to further analysis during the next planning phase. The plan will investigate in more detail whether the put-in and associated road (which currently exists, but would require improvement) is appropriate. The plan will also consider environmental impacts of all proposals and any alternatives within the overall direction approved by the CMP. It may be that a developed non-motorized put-in is inappropriate for that site.

It is the intent of BLM and MDNR to continue to involve Nanjemoy Vision, Inc. and other publics in the planning process.

#### **Decision and Rationale**

Based on the information contained in the CMP/EA, the decision is hereby made by both BLM and MDNR to approve Alternative 4, as modified (preferred alternative). The modifications are the inclusion of a potential motorized boat ramp at Wilson Farm (State) and the addition (since the initial draft CMP) of potential silvaculture practices on the state properties.

This plan was prepared under the regulations implementing Federal Land Policy and Management Act (FLPMA) (43 CFR 1600). An EA was prepared for the CMP in compliance with NEPA. Approval of this CMP provides for the use of the BLM administered public lands under the conditions described and the level analyzed in the EA.

Some actions conditionally approved by this Decision Record, will still be subject to additional site-specific analysis.

Implementation of the modified Alternative 4 balances open space and recreational activities on the Nanjemoy Peninsula and adequately protects the region's critical environmental resources. It encourage economic development based on increased recreational and heritage tourism, which is consistent with the objectives of the CMP and the plans of Charles County and the State of Maryland.

## **Approved BLM Planning Decisions**

Table 1 below contains the activities approved by this decision record. Some of the actions are implemented upon approval of the plan:

• The Federal portions of the Douglas Point and Maryland Point tracts are designated as a Special Recreation Management Area (SRMA). The SRMA is an area where a commitment of BLM staffing and funding has been made within the

parameters of multiple uses, to provide opportunities for specific recreation opportunities and experiences on a sustained yield basis.

- All Federal lands are closed to off-road motor vehicles
- All Federal land is closed to livestock grazing.
- All Federal land is closed to mineral leasing.
- No Federal land is available for land exchanges, Recreation and Public Purposes Act sales, timber sales and land sales.
- The Federal land is designated as an avoidance area for new rights-of-way.
- The Federal land has not been designated as an Area of Critical Environmental Concern.
- The Federal lands are designated as Recreation Opportunity Spectrum category semi-primitive non-motorized.
- Activities taking place on Federal land or by Federal action must conform with the Prevention of Significant Deterioration air quality Class 1 designation.
- The Federal portion of Douglas Point is designated as a Visual Resource Management Class II and Maryland Point as Class III.
- A fire management plan will be completed after the CMP. This plan will analyze the most effective modes of protection and will determine if prescribed fire or other fuels treatments are necessary for the ecosystem health and protection of life and property. Until the fire management plan is completed, all wildland fires will be suppressed through agreements with local cooperators.

Changes to these designations will require a plan amendment or revision.

This Decision Record fulfills the BLM's requirement to issue a decision at the conclusion of land use planning (43 CFR 1610.5).

## **State of Maryland DNR Planning Decisions**

No similar requirement exists for the State at this stage of land use planning. The final administrative decision for MDNR will occur at the completion of the next planning phase, which will result in the development of a land unit plan. The MDNR concurs with the selection of Alternative 4 modified and will utilize the CMP as a guide in the development of the land unit plan.

## **Implementation Plan**

An implementation plan sets general priorities for implementing the decisions made by the CMP. Although some specific tasks and timeframes cannot be precisely determined at this stage, the implementation plan allows officials to plan staff and budgetary resources. The implementation plan for the CMP is as follows:

#### **BLM Actions**

- 1. Evaluate Chiles Homesite for possible nomination to the National Register of Historic Places and prepare nomination if appropriate.
- 2. Survey Federal property line, post signs (e.g., off-highway vehicles & fossil collection prohibition).
- 3. Develop integrated activity plan for recreation and cultural resources.
- 4. Develop interpretative materials (maps, signs, kiosks, brochures).
- 5. Prepare site and engineering plans, if necessary.
- 6. Install sanitation facilities.
- 7. Monitoring protocol development.
- 8. Monitoring plan.
- 9. Develop recreation use surveys.

#### **MDNR** Actions

- 1. Survey and mark State boundaries.
- 2. GPS and map existing trails.
- 3. Develop a plan for resource management and public use (Land Unit Plan).
- 4. Lease Wilson Farm tract to Charles County.
- 5. Develop Forest/Timber Management Plan and other specific resource management plans that may be required.
- 6. Submit capital budget request for proposed recreational improvements.
- 7. Prepare site designs and engineering plans for any proposed recreational development.
- 8. Develop interpretive materials.
- 9. Monitoring.

Table 1. Activities Approved by the Decision Record

Program Area	Douglas Point (Federal)	Douglas Point (State)	Maryland Pt. (Federal)	Wilson Farm (State)	Purse State Park (State)
Parking area/trailhead construction	<ul> <li>Develop trailhead and small parking lot at each of three access points (gated)</li> <li>Maintain and sign two existing trails</li> </ul>	Developed parking sites (e.g. gravel or paved lots 10-30 cars ea.) and trailhead construction parking sites would be situated within property to support other facilities or amenities.	Medium parking lot (gravel or paved)     Assess need for trailhead construction in connection with uses developed by implementation plan.	Develop parking sites (e.g. gravel or paved 10-15 cars ea.) and trailhead construction.	Minor improvements to existing parking site and improve trail and trail head to reduce erosion.
Signing	<ul> <li>Moderate level of regulatory, safety, directional, and interpretative signs.</li> </ul>	Moderate level of regulatory, safety, directional, and interpretative signs.	Minimal level of regulatory, safety, directional, and interpretative signs.	Moderate level of regulatory, safety, directional, and interpretative signs.	Moderate level of regulatory, safety, directional, and interpretative signs.
Interpretive sites	<ul> <li>Provide moderate level of sites to interpret area's cultural and other resources.</li> <li>No developed picnic areas.</li> </ul>	Interpretive trails- signs; kiosks; self- guided trails.	Provide moderate level of sites to interpret area's cultural and other resources     Developed picnic areas as needed.	<ul> <li>Visitor-Heritage         Center and contact         station (e.g., 5,000         sq. ft.);</li> <li>Interpretive trails-         signs; kiosks; self-         guided trails</li> </ul>	Interpretive trails- signs; kiosks; self- guided trails
Day Use Facilities	No facilities-informal use for picnicking etc.	• Picnic tables/shelters, 20-50 people each	Small picnic area; tables/grills	• Picnic tables/shelters, 20-50 people each	No facilities-informal use for picnicking etc.
Toilets	Install vault toilets at one of the three trailheads or parking lot complexes.	Clivus or Vault; may require water for picnic group shelters	Provide adequate sanitation facilities (Vault toilets)	Yes (Clivus, Vault and/or rest rooms with water)	• No

Program Area	Douglas Point (Federal)	Douglas Point (State)	Maryland Pt. (Federal)	Wilson Farm (State)	Purse State Park (State)
Camping	No developed campgrounds.	Yes (e.g. group and/or 30 individual sites.	Possible site for moderate size developed campground.	Yes (e.g. group and/or 30+ individual sites	No camping
Off-road vehicles (ATVs, ORVs, etc)	Closed to all motorized vehicles, except govt. personnel on official business or communication site lessees to operate and maintain comm. site.	Closed to all motorized vehicles, except govt. personnel on official business	Closed to all motorized vehicles, except govt. personnel on official business	Closed to all motorized vehicles, except govt. personnel on official business	Closed to all motorized vehicles, except govt. personnel on official business
Competitive & Special Events	Field trips of students, professional groups and organized special interest groups. Allowed by permit, subject to project review.	Yes. Subject to MDNR project review and consistency with the plan.	Field trips of students, professional groups and organized special interest groups. Allowed by permit, subject to project review.	Yes. Subject to     MDNR project     review and     consistency with the     plan.	Yes. Subject to     MDNR project     review and     consistency with the     plan.
Filming	Permit minimal impact activities subject to project review.	<ul> <li>Permit minimal impact activities subject to project review.</li> </ul>	Permit minimal impact activities subject to project review.	Permit minimal impact activities subject to project review.	Permit minimal impact activities subject to project review.
General Public Access	<ul> <li>Open to biking-existing trails.</li> <li>Open to equestrian use-existing trails.</li> <li>Open to hiking wildlife observation, fishing, beachcombing-not limited to existing trails.</li> </ul>	<ul> <li>Open to hiking, wildlife observation, mountain biking, and hunting by permit.</li> <li>Equestrian use on existing trails.</li> </ul>	<ul> <li>Open to camping, hiking and biking on trails.</li> <li>Widen access road.</li> </ul>	Open to hiking, wildlife observation, fishing and hunting by permit.	Open to hiking, wildlife observation, fishing and hunting by permit.
Trail Construction	Maintain and sign existing trails (N-S trail and E-W trail), assess possibility of developing new trails to connect BLM and State land.	Maintain and sign existing trails (N-S trail and E-W trail), assess possibility of developing new trails to connect BLM and State land.	Develop trail system (subject to further planning).	Signed primitive and improved trail system	Signed primitive trail system.

Program Area	Douglas Point (Federal)	Douglas Point (State)	Maryland Pt. (Federal)	Wilson Farm (State)	Purse State Park (State)
Motorized Boat Ramps	• No	• No	• No	Yes, subject to project review	• No
Non-motorized Boat Put-In	• Yes	• Yes	• Yes	• Yes	• No
Mineral Leasing	• Closed	• Closed	• Closed	• Closed	• Closed
Timber Sales	No commercial harvesting	Selective commercial sales through state approved timber management plan	No commercial harvesting	No commercial harvesting	No commercial harvesting
Invasive Weeds	Removal in coordination w/MDNR (incl. herbicide use)	Removal in coordination w/MDNR (incl. herbicide use)	Yes, subject to environmental assessment	Removal by permit only	Removal by permit only
Vegetation Manipulation	Per Fire Management Plan	Per Fire Management Plan	Per Fire Management Plan	Per Fire Management Plan	Per Fire Management Plan
Land acquisitions	BLM's role has been, and will continue to be one of facilitator to help the State meet its Green Infrastructure objectives.			ecreation and conservation goay yland Green Infrastructure pro	
Land Exchanges	• No	• Yes	• No	• Yes	• Yes
Rights-of-Way (Communication sites, easements)	No additional surface disturbance, possible right-of-way grants on existing tower.	Easements/Rights of Way (ROWs) submitted to MDNR project review for consistency-conflicts with the plan.	<ul> <li>Allow communication sites, buried and aerial lines.</li> <li>Where no reasonable alternative exists.</li> <li>Facilities must blend with landscape.</li> </ul>	<ul> <li>Easements/Rights of Way (ROWs) submitted to MDNR project review for consistency-conflicts with the plan.</li> <li>Right of Entry for NVFD (corrected from Proposed CMP)</li> </ul>	Easements/ROWs submitted to MDNR project review for consistency-conflicts with the plan.
Recreation and Public Purposes Act leases	Yes. Subject to project review and plan conformance	• N/A	Subject to project review and plan conformance	• N/A	• N/A
Commercial permits/ Leases (e.g., concessions.	Yes, if consistent with plan	Yes, if consistent with plan	Yes, if consistent with plan	Yes, if consistent with plan	Yes, if consistent with plan

Program Area	Douglas Point (Federal)	Douglas Point (State)	Maryland Pt. (Federal)	Wilson Farm (State)	Purse State Park (State)
outfitters)					
Land withdrawals	• No	• N/A	• No	• N/A	• N/A
Permits (e.g. research, public-private events)	Subject to review and consistency with plan.	Subject to review and consistency with plan.	Subject to review and consistency with plan.	Subject to review and consistency with plan.	Subject to review and consistency with plan.
Hunting	Open to hunting, subject to State regulation.	Open to hunting, subject to State regulation.	Open to hunting, subject to State regulation (subject to removal of buildings and cleanup)	Open to hunting, subject to State regulation	Open to hunting, subject to State regulation.
Areas of Critical Environmental Concern	• No	• N/A	• No	• N/A	• N/A
Recreation Opportunity Spectrum Category	Semi-primitive non-motorized.	• N/A	Rural	• N/A	• N/A
Special Management Area	Designated Special     Recreation Mgmt     Area (SRMA).	• N/A	Designated SRMA	• N/A	• N/A
Air Quality	Prevention of     Significant     Deterioration Class 1	PSD Class 1	PSD Class 1	PSD Class 1	PSD Class 1
Livestock Grazing	• No	• No	• No	• No	• No
Endangered Species	<ul> <li>Maintain/protect bald eagle nest sites and territories</li> <li>Conduct inventories for special status species (priority species, joint-vetch, dwarf wedge mussel).</li> </ul>	Conduct inventories for special status species (priority species: joint-vetch, dwarf wedge mussel).	Conduct inventories for special status species (priority species: joint-vetch, dwarf wedge mussel).	Conduct inventories for special status species (priority species: sensitive joint-vetch, dwarf wedge mussel).	Conduct inventories for special status species (priority species: sensitive joint-vetch, dwarf wedge mussel).
Visual Resource Management	Class II	• N/A	Class III	• N/A	• N/A

## **Approved Mitigation**

No specific mitigation is approved at this time beyond the procedural requirements of Federal, State and local laws, regulations, ordinances and policies and the general guidance set out by the approved CMP. That is, prior to the development of any ground disturbing activities, the BLM and/or MDNR will conduct all applicable clearances and consultations, such as project reviews by the Maryland Department of Natural Resources and Section 7 of the Endangered Species Act by the U.S. Fish and Wildlife Service and consultation with the Maryland Historical Trust under Section 106 of the National Historic Preservation Act of 1966, as amended. BLM activities will be consistent to the greatest extent possible with all State and local plans, policies and ordinances.

### **Adaptive Management**

One of the key aspects of implementation of the CMP will be the way in which decisions are phased in gradually based on future demand and the results of studies, plans and analyses. The CMP sets the overall goals and potential uses and activity plans analyze these actions in finer detail. Resource monitoring, however, will be critical to assure that these planned activities do not overwhelm the community, infrastructure and the natural resource base. It may be, then, that some target levels for campground and day use facilities may be altered based on analysis of resource conditions. Trail locations and use may be changed to mitigate impacts. It is expected that the monitoring protocols will be developed cooperatively to maximize limited staff resources and avoid redundancies.

The public will be involved in these activities and notice will be provided of proposed operational changes. The results of monitoring may require the preparation of a BLM plan amendment.

## Finding of No Significant Impact

Based on the analysis in the Lower Potomac River CMP/EA, I have determined that impacts are not expected to be significant. Therefore, the preparation of an environmental impact statement (EIS) is not required.

#### **Decision**

Recommended by:

Gary Cooper, Lower Potomac Field Station Manager

**BLM-Eastern States** 

Sept. 8, 2004 Date

Approved by:

Michael D. Nedd, State Director

**BLM-Eastern States** 

201 9, 2004 Date

Approved by

Ron Franks, Secretary

Maryland Department of Natural Resources

) 14 200 Pate